

\$~O-24

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ ARB.P. 909/2018

SHYAM KUMAR SHRIVASTAVA

..... Petitioner

Through Mr. Kushagra Bansal & Mr. Ashish
Chauhan, Adv.

versus

FIITJEE LTD. & ANR.

..... Respondents

Through Mr. K.C. Mittal, Ms. Sima Gulati,
Ms. Ruchika Mittal, Ms. Revati
Gulati, Mr. Sudhir Kathpalia & Mr.
Amit P. Shahi, Adv.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **09.01.2019**

1. Mr. K.C. Mittal, Learned Counsel for the respondents submit that the petitioner has not invoked the arbitration.
2. Learned counsel for the petitioner submits that this petition be treated as a letter of invocation if respondent No. 1 is willing to appoint an arbitrator according to the arbitration agreement.
3. Mr. K.C. Mittal, Learned Counsel for the respondents submit on instructions from the legal head of respondent No. 1 that the respondent No.1 shall appoint an arbitrator within two weeks in terms of the arbitration agreement mentioned at page 51 of the documents file.
4. The petition is disposed of in view of the statement made by learned counsel for the respondents. Needless to say that the arbitrator to be appointed by respondent No. 1 shall ensure the compliance of Section 12 of the Arbitration and Conciliation Act before entering the reference.

5. Copy of this order be given *dasti* to counsel for the parties under the signatures of the Court Master.

J.R. MIDHA, J.

JANUARY 09, 2019
kd